

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES & EXCHANGE COMMISSION,

Plaintiff,

v.

GIBRALTAR GLOBAL SECURITIES, INC.,
and WARREN A. DAVIS,

Defendants.

13 CV 2575 (GBD) (JCF)

NOTICE OF MOTION

Oral Argument Requested

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Philip C. Patterson and Memorandum of Law, Defendants Gibraltar Global Securities, Inc. and Warren A. Davis, through undersigned counsel, will move this Court before the Honorable George B. Daniels, at the United States Courthouse, 500 Pearl Street, New York, New York, on a date and time to be determined by the Court, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6) granting Defendants' motion to dismiss the complaint in its entirety or, alternatively, consolidating this action with the related action pending before the Court (*SEC v. Carillo Heuttel, et al.*, 13 CV 1735 (GBD)) pursuant to Federal Rule of Civil Procedure 42, and granting such other and further relief as the Court deems just and proper.

Dated: July 19, 2013
New York, New York

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By: /s/ Nicholas M. De Feis
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